

VZCZCXYZ0014
PP RUEHWEB

DE RUEHZP #1893 3541656
ZNR UUUUU ZZH
P 201656Z DEC 07
FM AMEMBASSY PANAMA
TO RUEHC/SECSTATE WASHDC PRIORITY 1572
INFO RHMFIUU/DEPT OF JUSTICE WASHINGTON DC
RUCNFB/FBI WASHINGTON DC
RHMFIUU/DEPT OF HOMELAND SECURITY WASHINGTON DC
RHMFIUU/OSD WASHINGTON DC
RUMIAAA/HQ USSOUTHCOM MIAMI FL
RUEABND/DEA HQS WASHDC

UNCLAS PANAMA 001893

SIPDIS

SENSITIVE
SIPDIS

E.O. 12958: N/A
TAGS: [SNAR](#) [KJUS](#) [PGOV](#) [PM](#)
SUBJECT: TECHNICAL JUDICIAL POLICE (PTJ) TO BE DISBANDED

REF: PANAMA 400

¶1. (SBU) Summary: On December 18, the National Assembly adopted a bill to dismantle the Technical Judicial Police (PTJ) and transfer most of its investigative personnel from under the jurisdiction of the Attorney General (AG) to the Panamanian National Police (PNP). President Torrijos is expected to sign the legislation, which has been a top 2007 priority, into law promptly. The Torrijos Administration argued that the PTJ was riddled with corruption and that Panama would be best served by a strong, well-equipped criminal investigative arm within the PNP. AG Ana Matilde Gomez strongly opposed the move, arguing that the Constitution mandated that criminal investigation belonged under her control. The bill indicates that personnel within the new investigations division of the PNP would be under day-to-day control and direction of prosecutors. Minister of Government and Justice Daniel Delgado assured the Ambassador in late September that the excellent level of cooperation U.S. law enforcement agencies enjoy with the PTJ would continue under the new GOP framework. End Summary.

¶2. (U) The PTJ, until this legislation is implemented an arm of the semi-autonomous AG's Office, is Panama's rough FBI equivalent. The PTJ had traditionally seen itself caught in bureaucratic turf battles between the Executive and the AG. With passage of this bill, the Torrijos Administration, through a commanding Revolutionary Democratic Party (PRD) majority in the National Assembly, effectively dismantled the PTJ and placed most of its functions and personnel (roughly 85 percent) into an investigations division of the PNP, to be called the Judicial Investigation Directorate (DIJ). Current PTJ officials moved into the PNP will be subject to administrative and personnel rules of the PNP. However, the bill indicates that day-to-day control over the activities of those PNP personnel will be in the hands of prosecutors. A small group of forensic and specialized PTJ personnel (some 15 percent) will remain under the control of the AG, serving largely as crime scene investigators.

¶3. (SBU) Formal debate by the National Assembly on the GOP bill was minimal, and the only strong voice of opposition was AG Gomez, who argued that Panama's Constitution mandated that the PNP be charged with crime control and prevention and the AG with criminal investigation and prosecution. Opposition legislators have threatened to challenge the constitutionality of the new framework in the courts. Prospects for such challenges are unknown at this time, however. The issue was before the public for over a year, beginning with the dismissal of former PTJ director Jaime Jacome in December 2006. So far there has been no significant showing of public concern over the move to replace the PTJ. Media coverage of the debates has been fairly objective, although the amount of coverage given to the AG's position indicates the media's support for her views. There has been no editorial reaction to the new law, but at least one popular tabloid led with the headline: "The Terror

Returns: The DENI re-born." (Note: The DENI was the Noriega dictatorship's secret police. End Note.) President Torrijos, who made this legislation a top priority for 2007, is expected to sign the bill into law promptly.

14. (SBU) Comment: Post has strong working relationships with virtually all elements of the PNP and PTJ. Post is actively working with senior GOP and AG interlocutors to ensure continued smooth functioning of our key sensitive units, currently within the PTJ. The GOP's changes have the potential to streamline the process for U.S. law enforcement agencies' interaction with police entities. As always, it will depend on the caliber of the individuals in key management positions, and the resources they dedicate to train their officers. It remains to be seen whether the GOP will adopt a structure that maintains much needed checks and balances on the Executive Branch. Our message will continue to focus on the importance of investigative and prosecutorial results. Post's Law Enforcement and Security Working Group (LESWG), headed by the Ambassador, conveyed that message in a late September session with Minister of Government and Justice Daniel Delgado.

EATON